

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	§	
Carlo Liberale et al.	§	Group Art Unit: 3753
Application No.: 10/586,205	§	Confirmation No.: 4778
Filed: July 13, 2006	§	Examiner: Schneider, Craig M.
For: ACTUATOR FOR THE	§	Atty. Docket: CMRN:0006/SWA/SIN
ACTUATION OF SUBMARINE	§	CCV/Dresser 030957 US
DEVICES	§	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

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January 26, 2010

Date

/Tait R. Swanson/

Tait R. Swanson

Reg. No. 48,226

Sir:

**RENEWED PETITION UNDER 37 C.F.R. § 1.181
TO WITHDRAW THE HOLDING OF ABANDONMENT**

On August 6, 2009, the Office mailed a Notice of Abandonment based on Applicants' failure to timely file a proper reply to the Office Action mailed on October 31, 2008. On September 4, 2009, Applicants filed a petition requesting withdrawal of the holding of abandonment. On September 28, 2009, the Office of Petitions dismissed the petition requesting withdrawal of the holding of abandonment.

In accordance with 37 C.F.R. § 1.181 and M.P.E.P. § 711.03(c) I.A., Applicants hereby renew the petition to withdraw the holding of abandonment of the above-identified application based on a failure to receive the Office Action. In particular, Applicants hereby submit evidence of this failure to receive the Office Action in the form of Exhibits A, B, and C and a Declaration

of Manish Vyas in Support of Applicant's Petition Under 37 C.F.R. § 1.181(a) to Withdraw the Holding of Abandonment (hereinafter "the Declaration").

As indicated in the Declaration, Manish Vyas declares that he is a Managing Attorney at Cameron International Corporation (hereinafter "Cameron"), and further that Cameron has a reliable docketing system, which includes application numbers, attorney docket numbers, mailing dates of Office Actions, and due dates for Responses. Manish Vyas also declares that Cameron received a mailing, at the correspondence address of record, of a Notice of Abandonment mailed on August 6, 2009, indicating abandonment due to Applicants' failure to reply to an Office Action mailed on October 31, 2008. Manish Vyas further declares that Cameron has not received a mailing, at the correspondence address of record, of the Office Action mailed on October 31, 2008. Manish Vyas also declares that a review of the docketing system and his records confirms that Cameron did not receive a mailing, at the correspondence address of record, of the Office Action mailed on October 31, 2008. Manish further declares that a copy of the bibliographic data for the above-referenced application, as obtained from PAIR, is included as Exhibit A. As indicated in Exhibit A, the document description indicates "Mail returned to USPTO as undelivered" on a mail room date of November 7, 2008. Manish also declares that a copy of the returned Office Action is included as Exhibit B. As indicated in Exhibit B, the Office Action was stamped by Shell Oil Company on November 3, 2008, and was subsequently stamped by the USPTO Mail Center on November 7, 2008. As indicated in Exhibit C, the Office Action was never received into the Cameron docketing system. More specifically, between the October 31, 2008 mailing date of the Office Action and the August 6, 2009 mailing date of the Notice of Abandonment, no correspondences between the USPTO and Cameron are indicated in the Cameron docketing system.

In view of the foregoing evidence, Applicants submit that the Office Action was improperly delivered to Shell Oil Company rather than Cameron, the Office Action was returned to the Office, the Office recorded this Office Action as undeliverable, the Office did not attempt to re-mail the Office Action, and the Office subsequently mailed a Notice of Abandonment. Clearly, the evidence confirms that Applicants have not received a mailing of the Office Action mailed on October 31, 2008.

Accordingly, Applicants respectfully request that the Director grant the present petition to withdraw the holding of abandonment pursuant to 37 C.F.R. § 1.181 and M.P.E.P. § 711.03(c) I.A, and reinstate the application with its original filing date. Upon grant of this petition, Applicants further request re-mailing of the associated Office Action and re-starting of the time period for reply based on failure to receive the Office Action.

Authorization for Extensions of Time and Payment of Fees

In accordance with 37 C.F.R. § 1.136, Applicants hereby provide a general authorization to treat this and any future reply requiring an extension of time as incorporating a request thereof. Specifically, in accordance with 37 C.F.R. § 1.136(a), Applicants request a two-month extension of time from November 28, 2009 to January 28, 2010. However, in accordance with M.P.E.P. § 711.03(c) I, Applicants submit that no other fees are currently due in association with this petition. The Commissioner is authorized to charge the requisite fee of \$490.00 for the two-month extension of time, and any additional fees which may be required to process this petition, to Deposit Account No. 03-0335; Order No. CCV/Dresser030957US (CMRN:0006/SWA).

Respectfully submitted,

Date: January 26, 2010

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